

HOUSE BILL 1181

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8lr2626

By: **Delegates Rudolph and James**

Introduced and read first time: February 8, 2008

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Teachers' Retirement System and Teachers' Pension System - Reemployment**
3 **of Retirees - BRAC**

4 FOR the purpose of altering the criteria for hiring certain retirees of the Teachers'
5 Retirement System or the Teachers' Pension System who are exempt from a
6 certain offset of a retirement allowance; altering a certain reporting
7 requirement; and generally relating to the reemployment of retirees in the
8 Teachers' Retirement System or the Teachers' Pension System.

9 BY repealing and reenacting, with amendments,
10 Article - State Personnel and Pensions
11 Section 22-406(c)(5) and (n) and 23-407(c)(5) and (n)
12 Annotated Code of Maryland
13 (2004 Replacement Volume and 2007 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - State Personnel and Pensions**

17 22-406.

18 (c) (5) (i) An individual who is rehired under paragraph (4)(v) of this
19 subsection shall be employed as a classroom teacher, substitute classroom teacher, or
20 teacher mentor in a public school that:

21 1. is not making adequate yearly progress or is a school
22 in need of improvement as defined under the federal No Child Left Behind Act of 2001
23 and as implemented by the State Department of Education;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4. provided an alternative education program for
2 adjudicated youths or students who have been expelled, suspended, or identified for
3 suspension or expulsion from a public school; **OR**

4 **5. WAS IMPACTED BY THE FEDERAL BASE**
5 **REALIGNMENT AND CLOSURE (BRAC);**

6 (3) a copy of the annual staffing report generated by the State
7 Superintendent of Schools in accordance with § 18-703(g)(1) of the Education Article
8 certifying areas of critical shortage for the previous school year as evidenced by
9 projected employment vacancies substantially exceeding projected qualified graduates;

10 (4) the subject matter that each rehired retiree was teaching;

11 (5) the salary of each rehired retiree;

12 (6) the total number of years each retiree has been reemployed at the
13 school where the retiree was rehired for the previous school year; and

14 (7) the percentage of student population comprised of children in
15 poverty that is required to be present in a school in that school system in order for that
16 school to qualify as a Title 1 school.

17 23-407.

18 (c) (5) (i) An individual who is rehired under paragraph (4)(iv) of this
19 subsection shall be employed as a classroom teacher, substitute classroom teacher, or
20 teacher mentor in a public school that:

21 1. is not making adequate yearly progress or is a school
22 in need of improvement as defined under the federal No Child Left Behind Act of 2001
23 and as implemented by the State Department of Education;

24 2. is receiving funds under Title 1 of the federal No
25 Child Left Behind Act of 2001;

26 3. has more than 50% of the students attending that
27 school who are eligible for free and reduced-price meals established by the United
28 States Department of Agriculture; [or]

29 4. provides an alternative education program for
30 adjudicated youths or students who have been expelled, suspended, or identified for
31 suspension or expulsion from a public school; **OR**

32 **5. IS IMPACTED BY THE FEDERAL BASE**
33 **REALIGNMENT AND CLOSURE (BRAC).**

1 (ii) An individual rehired at a school described under
2 subparagraph (i) of this paragraph shall teach:

3 1. in an area of critical shortage;

4 2. a special education class for students with special
5 needs; or

6 3. a class for students with limited English proficiency.

7 (n) On or before October 1 of each year, the State Superintendent of Schools
8 shall submit a report for the previous school year, to the Joint Committee on Pensions,
9 in accordance with § 2-1246 of the State Government Article, that provides:

10 (1) the number of rehired retirees under subsection (c)(4)(iv) and (v)
11 and (8) of this section;

12 (2) (i) the school and school system where each retiree was rehired;
13 and

14 (ii) whether the school:

15 1. was not making adequate yearly progress or was a
16 school in need of improvement as defined under the federal No Child Left Behind Act
17 of 2001 and as implemented by the State Department of Education;

18 2. was receiving funds under Title 1 of the federal No
19 Child Left Behind Act of 2001;

20 3. has more than 50% of the students attending that
21 school who are eligible for free and reduced-price meals established by the United
22 States Department of Agriculture; [or]

23 4. provided an alternative education program for
24 adjudicated youths or students who have been expelled, suspended, or identified for
25 suspension or expulsion from a public school; **OR**

26 **5. WAS IMPACTED BY THE FEDERAL BASE**
27 **REALIGNMENT AND CLOSURE (BRAC);**

28 (3) a copy of the annual staffing report generated by the State
29 Superintendent of Schools in accordance with § 18-703(g)(1) of the Education Article
30 certifying areas of critical shortage for the previous school year as evidenced by
31 projected employment vacancies substantially exceeding projected qualified graduates;

32 (4) the subject matter that each rehired retiree was teaching;

33 (5) the salary of each rehired retiree;

1 (6) the total number of years each retiree has been reemployed at the
2 school where the retiree was rehired for the previous school year; and

3 (7) the percentage of student population comprised of children in
4 poverty that is required to be present in a school in that school system in order for that
5 school to qualify as a Title 1 school.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 July 1, 2008.